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September 15, 2021

The Hon. U.S. District Judge Ronnie Abrams
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Hammond-Williams et al v. Fuchs et al*, 21-cv-1121 (RA) – Refiling Extension Request

Dear Judge Abrams,

Ms. Eddie B. Hammond, who is the late wife of Mr. Roy C. Hammond and the administrator of his estate, along with her daughter, Ms. Sabrina Hammond-Williams, has officially retained Hamilton Clarke, LLP to represent their interests in the above-captioned matter. This matter was originally filed, via pro se complaint, on February 3, 2021 (ECF No. 1), by Ms. Hammond-Williams who is the daughter of Roy C. and Eddie B. Hammond. Within the initial complaint, Ms. Hammond-Williams listed herself and Mr. Hammond's nephew, Henry Irving Cisco, as co-Plaintiffs.

On April 5, 2021, the Court ordered the Plaintiffs to show cause as to why they were the appropriate individuals to bring suit in this matter, pro se. (ECF No. 5). Subsequently, on April 26, 2021, Ms. Hammond-Williams moved to amend the complaint by adding her mother as a Plaintiff and discontinuing Mr. Cisco from the action. (ECF No. 23). On April 29, 2021, the Court stated in an Order that "The proposed amendment to the complaint would likely resolve any problem with her proceeding pro se on [Mr. Hammond's] behalf . . . [and if] Defendants disagree, or otherwise wish to be heard on this issue, they may [so object]." (ECF No. 31). In a letter to the Court dated May 7, 2021 (ECF No. 32), the defense so objected, and on May 13, 2021, the Court issued an Order of Dismissal (ECF No. 33), on the grounds that "[Mr. Hammond's] estate cannot be represented pro se, whether by Sabrina and Henry, by Sabrina and Eddie, or by any of these three individuals on their own without the assistance of an attorney." Within the Order of Dismissal, the Court granted Mr. Hammond's estate sixty days within which to refile the action.

On July 15, 2021, the Court granted an extension until today, September 15, 2021, on account of the logistics of Ms. Hammond-Williams and her mother, residents of Virginia and South Carolina, respectively, being able to secure and retain local counsel licensed to practice in the Southern District of New York. Within that period, they reached out to our office requesting representation. In light of the Court's prior Orders and concerns regarding Mr. Hammond's estate, however, we required certain estate related documentation to ensure that representation would be proper on behalf of Ms. Eddie B. Hammond

in any filed action. Moreover, per our ethical duties, we needed the time to review the matter to ensure that we would not be filing a frivolous action. Per that review, which remains ongoing, we have determined that we can move forward with representation in this matter and file an action devoid of the pro se related issues that the Court had to deal with at the inception of this matter.

To that end, with representation having just been made official, I request until November 1, 2021 to have the Complaint refiled and ultimately served upon the defense. This request is made in good faith and without prejudice to the defense, as all potential claims considered fall squarely within the applicable statutes of limitations. Of note, the undersigned is particularly aware of the backlog of civil matters within the Southern District as a result of the pandemic, and will move with all deliberate speed to push this case forward.

I thank Your Honor for your consideration.

Regards,

Phillip C. Hamilton

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